

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

Christopher C. Botta, Esq (#0312561992)

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Attorneys for Defendant,

Borough of Emerson

EMERSON REDEVELOPERS URBAN
RENEWAL, L.L.C.,

Plaintiffs,

vs.

THE BOROUGH OF EMERSON, NEW
JERSEY, AND DANIELLE DIPOLA,

Defendants.

Civil Action No.: 2:20-cv-04728
(MCA-MAH)

Civil Action

**CERTIFICATION OF
CHRISTOPHER C. BOTTA, ESQ.**

I, **CHRISTOPHER C. BOTTA**, hereby certify as follows:

1. I am an attorney at law of the State of New Jersey and am admitted to practice before the United States District Court for the District of New Jersey. I am the Managing Partner of Botta Angeli, LLC, attorneys for Defendant, Borough of Emerson, in the above matter. I am fully familiar with the facts set forth herein.

2. I make this Certification in support of the Borough of Emerson's Motion for Summary Judgement which seeks to Dismiss Plaintiff's First Amended Complaint with prejudice.

3. Attached as Exhibit A is a copy of the Plaintiff's First Amended Complaint filed in this matter.

4. Attached as Exhibit B is a copy of the Plaintiff's Planning Expert Report prepared by Art Bernard, P.P., entitled "Impact of Exclusionary Zoning in Emerson", dated June 2023.

5. Attached as Exhibit C is a copy of the Defendants' Planning Expert Report prepared by Preferred Planning Group, entitled "Expert Planning Rebuttal Report Prepared for Defendants", dated November 9, 2023.

6. Attached as Exhibit D is a copy of an Order dated March 16, 2021 entered by New Jersey Superior Court Judge Gregg Padovano, J.S.C. directing the appointment of a "Mt. Laurel Implementation Monitor" to oversee issues surrounding the Redevelopment Agreement between the parties and the Borough's compliance with its Mt. Laurel housing obligations.

7. Attached as Exhibit E is a copy of the fully executed Redevelopment Agreement by and between the Borough of Emerson and Emerson Redevelopers Urban Renewal, LLC, dated June 14, 2016.

I hereby certify that the statements herein are true. I am aware that if any of the statements herein are willfully false, I am subject to punishment.

/s/ Christopher C. Botta
Christopher C. Botta [#031561992]

Dated: September 19, 2024